

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Derick Tyler,

Petitioner,

v.

David Nolan,

Respondent.

Civil Action
No. 04-12680-NMG

**MOTION OF DERICK TYLER TO EXTEND TIME TO RESPOND
TO RESPONDENT'S MOTION TO DISMISS PETITION FOR
WRIT OF HABEAS CORPUS AS TIME-BARRED**

Now comes the Petitioner, Derick Tyler, respectfully asks this Honorable Court for an extension of time to respond to the Respondent's motion to dismiss his § 2254 Petition. In support hereof, the Petitioner states the following:

1. The Petitioner is proceeding pro se in this matter and is literally law-illiterate. The petition now before the court was prepared by a jailhouse lawyer, Tony B. Gaskins.

2. Mr. Tyler needs time to have the issues brought-forth by the Respondent researched, in order that he will be able to make an intelligent response to the Respondent's motion.

3. Mr. Tyler seeks an extension to respond up to February 20, 2006. That should give him enough time to research the issues and properly respond to the Respondent's pleadings. This motion should be allowed.

Respectfully Submitted,

Derick Tyler
Derick Tyler, Pro se
S.B.C.C.
P.O. Box 8000
Shirley, Ma. 01464

Dated: 1-25-06

CERTIFICATE OF SERVICE

I, Derick Tyler, certify that I caused a true copy of the foregoing document to be served on: Jonathan Ofilos, Assistant Attorney General, Criminal Bureau, One Ashburton Place, Boston, Ma. 02108, by first class mail, postage prepaid.

Derick Tyler
Derick Tyler, Pro se

Dated: 1-25-06